

United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

AUG 22 2007

 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Venue: SAN FRANCISCO

v.

RON ANTHONY GORDON**CRIMINAL COMPLAINT**

a/k/a GREG ENRIQUE GORDON

(Name and Address of Defendant)

CASE NUMBER: **3 - 07 - 70495**

JCS

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about March 9, 2001, in San Francisco County, in the Northern District of California, the defendant did, willfully and knowingly make a false statement in an application for a passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws in violation of Title 18 United States Code, Section 1542, False Statement in a Passport Application.

I further state that I am a Special Agent and that this complaint is based on the following facts:

See attached Affidavit in Support of Criminal Complaint

Maximum Penalties:


Title 18 USC Section 1542:

10 years of imprisonment; \$250,000 fine; 1 years supervised release; and \$100 special assessment fee

APPROVED AS TO FORM:


 Derek Owens, AUSA
Continued on the attached sheet and made a part hereof: ☒ Yes ☐ NoArrest Warrant Requested: ☒ Yes ☐ No

Bail Amount: _____


 Signature of Complainant, Hartaje Thiara

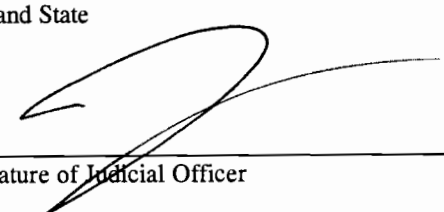
Sworn to before me and subscribed in my presence,

 August 22, 2007
 Date

at

 San Francisco, California
 City and State
Joseph C. Spero**United States Magistrate Judge**

Name & Title of Judicial Officer


 Signature of Judicial Officer

UNITED STATES DISTRICT COURT)
)
NORTHERN DISTRICT OF CALIFORNIA) ss. AFFIDAVIT

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT
CHARGING RON ANTHONY GORDON
WITH VIOLATING 18 U.S.C. § 1542;
FALSE STATEMENT IN APPLICATION FOR A PASSPORT

I, Hartaje Thiara, being duly sworn, depose and state:

Affiant Background

1. I am a Special Agent with the Diplomatic Security Service (DSS), currently assigned to the San Francisco Field Office. DSS Special Agents are empowered under Title 22 U.S.C. § 2709 to investigate passport and visa fraud.

2. I have a Masters of Public Administration degree from the University of Southern California and I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program, as well as the Department of State's Criminal Investigator Training Program. I have been employed by the Department of State for approximately 8 years. I receive on an ongoing basis, training in the laws, rules and regulations concerning passports.

Purpose of Affidavit

3. This affidavit establishes probable cause to arrest RON ANTHONY GORDON, also known as Greg Enrique Gordon, for False Statement in Application for a Passport, in violation of 18 U.S.C. § 1542, when he applied for a passport and falsely stated his name was Greg Enrique Gordon, when his true name is RON ANTHONY GORDON.

4. This affidavit is based in part upon my personal knowledge, interviews, and the review of various records and documents obtained during this investigation. This affidavit sets forth only those material facts that I believe are necessary to establish probable cause. It does not include each and every fact of this investigation.

Relevant Statute

5. The Passport Act of 1926, as amended, was in full force and effect throughout the period of this investigation. This Act, codified in 22 U.S.C. § 211a, authorized the United States Secretary of State to grant and issue United States passports under rules prescribed by the President and/or other federal laws. Some of these rules are that a person wanting a United States passport must complete and submit an application to the State Department and must submit proof of American citizenship, usually a birth certificate, and proof of identity, usually a driver's license and Social Security Number, with their application. Another rule allows officers at United States

Post Offices to accept passport applications, and to then forward them to the State Department for processing.

6. Title 18 U.S.C. § 1542 states, in pertinent part, "Whoever willfully and knowingly makes any false statement in an application for a passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for their own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws...shall be fined under this title...or imprisoned not more than 10 years...or both." Title 18 U.S.C. § 3291 provides for a ten year statute of limitations for passport offenses.

Facts Supporting Probable Cause

7. On or about March 9, 2001, an individual identifying himself as Greg Enrique Gordon, executed a DSP-64, Application for a Lost or Stolen Passport, and a Form DS-11, Application for U.S. Passport (No. 056410537), at the San Francisco Passport Agency, 95 Hawthorne Street, San Francisco, California, which is located within the Northern District of California. This individual provided a California Driver's License and a birth certificate as proof of citizenship. All documents were in the name of Greg Enrique Gordon. The individual stated on the DSP-64 that he was unable to locate his passport. In the application, the individual listed the following information:

Name: Greg Enrique Gordon.

DOB: 10/30/1970

Place of Birth: Panama

Mailing Address: 5500 Link Dr., Fair Oaks, CA 95628

Social Security Number: XXX-XX-XXXX (redacted)

California Driver's License: U6148684

Height: 5'5"; Hair: BLK; Eyes: BRO

8. On May 15, 2007, Greg Enrique Gordon walked into the U.S. Passport Agency to enquire about the status of his renewal application for his U.S. Passport. A "hold" had been placed on his renewal application because his passport had been reported lost in 2001, and the replacement passport that was issued was still valid. While at the passport office, Greg Enrique Gordon insisted that he had not applied for, nor received, a renewal or replacement passport in 2001. A copy of the 2001 passport application (DSP-11) was shown to the Greg Enrique Gordon. Greg Enrique Gordon identified the photo on the application as that of his brother RON ANTHONY GORDON.

9. On May 15, 2007, Richard Macias, Fraud Prevention Manager at the U.S. Passport Agency in San Francisco, California, referred the passport application to the Diplomatic Security Service for investigation based on his belief that a replacement passport had been fraudulently obtained by RON ANTHONY GORDON in the name of his brother Greg Enrique Gordon.

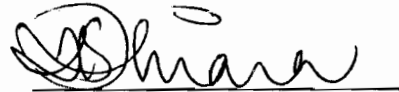
10. On May 30, 2007, a review of government databases revealed that an individual with the name of RON ANTHONY GORDON had been arrested on more than

three occasions for state crimes in Sacramento and San Mateo Counties. RON ANTHONY GORDON is currently awaiting court appearance for a Driving Under the Influence charge in Sacramento County. Booking photographs were obtained from both counties based on FBI #55362PA0. A comparison of the arrest photos to that of the photo on the 2001 passport application, appear to be of one and the same person.

Conclusion

11. Based on the facts and information detailed in the affidavit, I believe probable cause exists that RON ANTHONY GORDON, also known as Greg Enrique Gordon, made a false statement in a passport application, in violation of 18 U.S.C. § 1542, when he falsely stated his name was Greg Enrique Gordon on the aforementioned passport application, which was submitted at the San Francisco Passport Agency in the Northern District of California. As such, I respectfully request a warrant for his arrest.


Under penalty of perjury, I swear that the foregoing is true and correct to the best of my knowledge, information and belief.



Hartaje Thiara
Special Agent
Diplomatic Security Service
San Francisco Field Office

SUBSCRIBED AND SWORN BEFORE ME

ON August 22, 2007



THE HONORABLE JOSEPH C. SPERO
United States Magistrate Judge
Northern District of California